

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

55320.000001

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

10/536770

INTERNATIONAL APPLICATION NO.

PCT/DE2003/003910

INTERNATIONAL FILING DATE

25 November 2003

PRIORITY DATE CLAIMED

29 November 2002

TITLE OF INVENTION

SCRAPED SURFACE HEAT EXCHANGER

APPLICANT(S) FOR DO/EO/US

Frank RUSSMANN

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An unexecuted oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A Preliminary Amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

NOTE: Most of the application is in German.

Copy of WO 2004/051159 A1 including International Search Report; Form PCT/ISA/210; and Request to Examine Application Based on the Published International Application.

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.7)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/536770		PCT/DE2003/003910		55320.000001	

21. <input checked="" type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<input checked="" type="checkbox"/>	a) Basic National Fee	\$ 300.00		\$ 300.00	
<input checked="" type="checkbox"/>	b) Examination Fee	\$ 200.00		\$ 200.00	
<input checked="" type="checkbox"/>	c) Search Fee (pursuant to 37 C.F.R. § 1.492(b)(2))	\$ 500.00-\$400.00		\$ 400.00	
TOTAL OF ABOVE CALCULATIONS				\$ 900.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
10 - 100	0 /50	NONE	x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	8 - 20 =	0	x \$ 50.00	\$	
Independent claims	5 - 3 =	2	x \$200.00	\$ 400.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$ 1300.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 650.00	
SUBTOTAL =				\$ 650.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 65.00	
TOTAL NATIONAL FEE =				\$ 715.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ -----	
TOTAL FEES ENCLOSED =				\$ 715.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$

a. ☒ A check in the amount of 715.00 to cover the above fees is enclosed.

b. ☐ Please charge Deposit Account No. 50-0206 in the amount of _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0206 A duplicate copy of this sheet is enclosed.

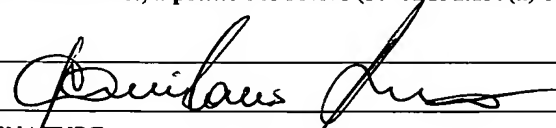
d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

CUSTOMER NO. 21967

Intellectual Property Department
Hunton & Williams LLP
1900 K Street, N.W.; Suite 1200
Washington, DC 20006-1109
(202) 955-1500 (telephone)
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SIGNATURE

Stanislaus Aksman

NAME

28,562

REGISTRATION NUMBER

May 27, 2005

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : TBA Confirmation No.: TBA
First Named Inventor : RUSSMANN, Frank
Filed : May 27, 2005
Title : SCRAPED SURFACE HEAT EXCHANGER
TC/Art Unit : TBA
Examiner: TBA

Docket No. : 55320.000001
Customer No. : 21967

**REQUEST TO EXAMINE APPLICATION BASED
ON PUBLISHED INTERNATIONAL APPLICATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that the examination of the application in the United States Patent and Trademark Office be based on the text of the Published International Application WO 2004/051159 A1, published on June 17, 2004.

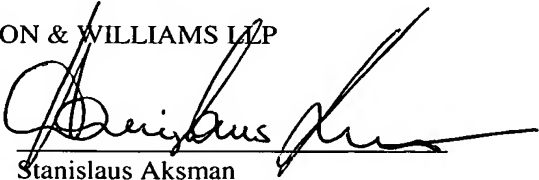
Pursuant to 37 C.F.R. § 1.492(b)(2), Applicant respectfully notes that a reduced search fee for this national stage filing is paid herein because an International Search Report on the International Application has been prepared and is provided to the USPTO no later than the time at which the search fee is paid.

Authorization is hereby granted to charge or credit the undersigned's Deposit Account No. 50-0206 for any fees or overpayments related to this Request.

Respectfully submitted,

HUNTON & WILLIAMS LLP

By:


Stanislaus Aksman
Registration No 28,562

Dated: May 27, 2005

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